

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JASON AMICO,

Plaintiff,

v.

IDALBERTO ZALDIVAR-GALVES,

Defendant.

No. 1:22-cv-01499-SAB (PC)

ORDER GRANTING DEFENDANT'S
REQUEST TO SEAL DOCUMENTS IN
SUPPORT OF MOTION FOR SUMMARY
JUDGMENT

(ECF No. 35)

Plaintiff Jason Amico is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendant Dr. Zladiivar-Galves for deliberate indifference to a serious medical need.

On September 30, 2024, Defendant filed a motion for summary judgment, along with a request to seal documents in support of said motion to protect Plaintiff's privacy rights. (ECF Nos. 35, 36.) Although Plaintiff filed an opposition to Defendant's motion for summary judgment, Plaintiff did not file an opposition to the motion to seal and the time to do so has now passed. Local Rule 230(l).

I.

DISCUSSION

Local Rule 141 governs requests to seal documents. Local Rule 141. That rule provides

1 that documents may be sealed by order of the court upon the showing required by law. Local Rule
2 141(a). It requires the party making the request to “set forth the statutory or other authority for
3 sealing, the requested duration, the identity, by name or category, of persons to be permitted
4 access to the other documents, and all other relevant information.” Local Rule 141(b).

5 The “showing required by law” referred to by our Local Rule is a high one. The court
6 operates under a strong presumption in favor of access to court records. Ctr. For Auto Safety v.
7 Chrysler Group, LLC, 809 F.3d 1092, 1096 (2016). Accordingly, a party seeking to file
8 something under seal must present “compelling reasons” supporting the request. Id. The
9 compelling reasons standard requires the court to: (1) find a compelling reason supporting sealing
10 the record and (2) articulate the factual basis for sealing the record, without relying on hypothesis
11 or conjecture. Id. at 1096-97. The court must conscientiously balance the competing interests of
12 the public and the party who wishes to keep the documents private. Id. at 1097. “What constitutes
13 a ‘compelling reason’ is ‘best left to the sound discretion of the trial court.’ ” Id. (quoting Nixon
14 v. Warner Commnc’ns, Inc., 435 U.S. 589, 599 (1978)). Pursuant to Federal Rule of Civil
15 Procedure 5.2(d), a court “may order that a filing be made under seal without redaction.” Id.

16 “Medical records contain private, confidential, and often sensitive information, and courts
17 often order medical records to be filed under seal.” United States v. Lopez-Perez, No. 1:14-cr-
18 0045-AWI, 2021 WL 809396, at *1 (E.D. Cal. Mar. 3, 2021); see also Pratt v. Gamboa, No. 17-
19 cv-04375-LHK, 2020 WL 8992141, at *2 (N.D. Cal. May 22, 2020) (noting that “medical records
20 are deemed confidential under the Health Insurance Portability and Accountability Act” and that
21 “[c]ourts routinely conclude that the need to protect medical privacy qualifies as a compelling
22 reason for sealing records”) (internal quotation marks omitted) (citing cases); Johnsen v. Tambe,
23 No. 19-cv-141-TSZ-MLP, 2019 WL 4014256, at *2 (W.D. Wash. Aug. 26, 2019) (“find[ing] the
24 plaintiff’s privacy interest in his own medical records to be a sufficiently compelling reason to
25 seal the medical records themselves”). Given that the documents Defendants seek to seal contain
26 Plaintiff’s confidential health information, the Court hereby finds compelling reasons justify the
27 sealing of such documents.

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II.

ORDER

Based on the foregoing, it is HEREBY ORDERED that:

1. Defendant's request to seal filed on September 30, 2024 (ECF No. 35) is GRANTED;
and
2. Pursuant to Local Rule 141(b), the Clerk of Court shall file under seal Exhibits 9-14 of the Declaration of Alexandria Faura, Exhibits A-F of the Declaration of I. Zaldivar-Galves, and Exhibits A-B of the Declaration of J. Liang in support of Defendant's motion for summary judgment (ECF No. 35).

IT IS SO ORDERED.

Dated: **November 7, 2024**



STANLEY A. BOONE
United States Magistrate Judge